

3. (Currently Amended) A material grasping and holding instrument as in claim 1 ~~either of claims 1 or 2~~, wherein the spring element (6) is stored with one end at a storage point (7) in the area of the proximal end of a handgrip (2b) and with the other end at a storage point (8) in the center area of the other handgrip (2a).

4. (Currently Amended) A material grasping and holding instrument as in claim 3, wherein, in order to store the spring element (6) in the center area of the handgrip (2a), on this handgrip (2a) an extension (9) is configured protruding into the interval between the two handgrips (2a, 2b), on the free end of which extension (9) the spring element (6) is stored.

5. (Currently Amended) A material grasping and holding instrument as in claim 1 ~~any of claims 1 to 4~~, wherein a handgrip (2b) of the handle (2) is configured as to be rigidly conjoined in one piece with one jaw member (3b) of the holding portion (3), while the other handgrip (2a) of the handle (2) is pivotally connected with the other jaw member (3a) of the holding portion (3) to swivel around a pivot point (5).

6. (Currently Amended) A material grasping and holding instrument as in claim 5, wherein the spring element (6) is stored with one end at the storage point (7) in the area of the proximal end of the rigid handgrip (2b) and with the other end at the storage point (8) in the center area of the rotatable handgrip (2a).

7. (Currently Amended) A material grasping and holding instrument as in claim 5 ~~either of claims 5 or 6~~, wherein the storage point (8) where the spring element (6) in the center area of the handgrip (2a) is stored, is arranged in the upper end position that releases the holding portion (3), above a line (L1) which connects the pivot point (5) between the rotatable handgrip (2a) and the rotatable jaw member (3a) with the storage point (7) of the spring element (6) in the area of the proximal end of the rigid handgrip (2b).

8. (Currently Amended) A material grasping and holding instrument as in claim 5 ~~any of claims 5 to 7~~, wherein the storage point (8) where the spring element (6) in the center area of the handgrip (2a) is stored, is arranged in the lower end position that locks the holding portion (3), below a line (L1) which connects the pivot point (5) between the rotatable handgrip (2a) and the rotatable jaw member (3a) with the storage point (7) of the spring element (6) in the area of the proximal end of the rigid handgrip (2b).

9. (Currently Amended) A material grasping and holding instrument as in claim 1 ~~any of claims 1 to 4~~, wherein both handgrips (2a, 2b) of the handle (2) are configured in one piece and rigidly connected in each case with one jaw member (3a, 3b) of the holding portion (3), where the handgrips (2a, 2b) or jaw members (3a, 3b), crossing one another, are stored so that they can swivel with respect to one another around a common pivot point (4).

10. (Currently Amended) A material grasping and holding instrument as in claim 9, wherein the storage point (8) where the spring element (6) in the center area of the handgrip (2a) is stored, is arranged on an arc (K) around the pivot point (4).

11. (Currently Amended) A material grasping and holding instrument as in claim 1, wherein at least one jaw member (3a, 3b) of the holding portion (3) is firmly connected with one spring element (6) respectively, and the spring element (6) is pretensioned and installed on the distal side between the pivot point (4) for rotating at least one jaw member (3a, 3b) and on the proximal side one rigid abutment bearer (12) in such a way that every spring element (6) can be moved by means of one handgrip (2a, 2b) of the handle (2) in each case between an end position that releases the holding portion (3) and an end position that locks the holding portion (3).

12. (Currently Amended) A material grasping and holding instrument as in claim 11, wherein one jaw member (3b) of the holding portion (3) is configured as a single piece rigidly connected with a handgrip (2b) of the handle (2) and the other jaw

member (3a) of the holding portion (3) is firmly connected with the spring element (6), so that the abutment bearer (12) of the spring element (6) is firmly connected with the rigid handgrip (2b) and the other handgrip (2a) of the handle (2) is stored so as to be rotatable around a pivot point (11) at the proximal end of the rigid handgrip (2b) and the rotatable handgrip (2a) is connected with the spring element (6).

13. (Currently Amended) A material grasping and holding instrument as in claim 1 ~~any of claims 1 to 12~~, wherein the grasping and holding instrument is a needle holder (1).

14. (Currently Amended) A material grasping and holding instrument as in claim 1, wherein the grasping and holding instrument is a tube shaft instrument (14) and the handle (2) is connected with the holding portion (3) by at least one force transmission element, particularly a push-pull rod (16).